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EXAMINER	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/516,910	SUH ET AL.	
	Examiner	Art Unit	
	KAVEH ABRISHAMKAR	2431	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *06 December 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-49* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-49* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *12/6/04, 5/29/07*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This action is in response to the communication filed on December 06, 2004. Claims 1-18 were originally received for consideration. Per the received preliminary amendment, claims 19-49 were added.

2. Claims 1-49 are currently being considered.

Information Disclosure Statement

3. Initialed and dated copies of Applicant's IDS form 1449, received on 12/06/2004 and 5/29/2007, are attached to this Office action.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 7-11, and 27-44 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claims are directed to a a "recording medium" containing various data fields. This is non-functional descriptive material, as neither the recording medium nor the data fields that it contains perform any specific data manipulation, or effect any functional change in a computing process. See MPEP 2016.IV.B.1.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1,3,5-7,9,11-12, 14-18, 20, 22-24, 27-31, 34-36, 38-39, 44-46, and 48-49 rejected under 35 U.S.C. 102(b) as being anticipated by Ueda et al. (U.S. Patent 6,289,102).

Regarding claim 1, Ueda discloses:

A method of recording copy protection information on a recording medium, comprising:

recording encrypted data on the recording medium (column 14, lines 19-25: *sector housing encrypted data*); and

recording copy protection information required for decrypting the encrypted data in first area and additionally in a second area other than the first area (column 14, lines 19-25, column 15, lines 31-45, column 16, lines 23-35: *wherein keys are recorded in different areas*) .

Claim 3 is rejected as applied above in rejecting claim 1. Furthermore, Ueda discloses:

The method set forth in claim 1, wherein the second area includes an area within a lead-in area and/or lead-out area defined in the recording medium (column 15, lines

45-60: *key information can be recorded in a lead-in area*).

Claim 5 is rejected as applied above in rejecting claim 1. Furthermore, Ueda discloses:

The method set forth in claim 1, wherein control information about the recording medium is recorded in the lead-in area defined in the recording medium and the control information is duplicated in an area other than the first area (column 14, lines 19-25, column 16, lines 23-35: *wherein keys are recorded in different areas*).

Claim 6 is rejected as applied above in rejecting claim 1. Furthermore, Ueda discloses:

The method set forth in claim 1, further comprising:

recording position information for indicating a position where at least the copy protection information in a second area is recorded (column 15, lines 8-20: *pointer to key information*).

Regarding claim 7, Ueda discloses:

A recording medium, comprising:

a data area for storing encrypted data (column 14, lines 19-25: *sector housing encrypted data*);

a first area for storing copy protection information required for decrypting the encrypted data (column 14, lines 19-25, column 15, lines 31-45, column 16, lines 23-35: *wherein keys are recorded in different areas*); and

at least one second area storing a duplicate of the copy protection information (column 14, lines 19-25, column 15, lines 31-45, column 16, lines 23-35: *wherein keys are recorded in different areas*).

Claim 9 is rejected as applied above in rejecting claim 7. Furthermore, Ueda discloses:

The recording medium set forth in claim 7, wherein the first and second areas include an area within a lead-in area and/or a lead-out area defined in the recording medium (column 14, lines 19-25, column 16, lines 23-35: *wherein keys are recorded in different areas*).

Claim 11 is rejected as applied above in rejecting claim 7. Furthermore, Ueda discloses:

The recording medium set forth in claim 7, further comprising:

a third area storing information associated with a position where the copy protection information is recorded (column 14, lines 19-25, column 15, lines 31-45, column 16, lines 23-35: *wherein keys are recorded in different areas*).

Regarding claim 12, Ueda discloses:

A method of reproducing a recording medium, comprising the steps of:

(a) driving the recording medium storing encrypted data (column 14, lines 19-25: *sector housing encrypted data*);

(b) detecting copy protection information, which is required for decrypting the encrypted data, recorded repeatedly in a specific area of the recording medium or copied in a specific area from an area where original copy protection information is recorded (column 14, lines 19-25, column 16, lines 23-35: *wherein keys are recorded in different areas*); and

(c) performing a decryption of the encrypted data based on the detected copy protection information (column 15, lines 60-67: *wherein the data is decrypted depending on the flag value*).

Claim 14 is rejected as applied above in rejecting claim 12. Furthermore, Ueda discloses:

The method set forth in claim 12, wherein the specific area includes an area within a lead-in area and/or lead-out area defined in the recording medium (column 15, lines 45-60: *key information can be recorded in a lead-in area*).

Claim 15 is rejected as applied above in rejecting claim 12. Furthermore, Ueda discloses:

The method set forth in claim 12, wherein the copy protection information is recorded differently depending on a manufacture of the recording medium, wherein the step (b) detects the copy protection information based on a position information to indicate a position where the copy protection information is recorded (column 15, lines 8-20: *pointer to key information*).

Claim 16 is rejected as applied above in rejecting claim 12. Furthermore, Ueda discloses:

The method set forth in claim 12, wherein the step (b) includes a step of detecting position information for at least one of the repeated copy protection information and reads at least one of the repeated copy protection information based on the position information (column 15, lines 8-20: *pointer to key information*).

Claim 17 is rejected as applied above in rejecting claim 12. Furthermore, Ueda discloses:

The method set forth in claim 12, wherein the step (b) includes a step of detecting position information for at least one of the repeated copy protection information stored in a predetermined position in a recording/reproducing apparatus and reads the repeated copy protection information based on the position information (column 15, lines 8-20: *pointer to key information*).

Claim 18 is rejected as applied above in rejecting claim 12. Furthermore, Ueda discloses:

The method set forth in claim 12, wherein, the step (b) detects other one among the repeated copy protection information if an error occurs in the detection of the copy protection information (column 15, lines 8-20: *pointer to key information*).

Regarding claim 20, Ueda discloses:

A method of recording data on a recording medium, comprising:

generating a copy protected data based on a key information, the key information being required for generating the copy protected data (column 14, lines 19-25: *sector housing encrypted data*);

recording the copy protected data in the recording medium (column 14, lines 19-25: *sector housing encrypted data*); and

recording the key information in a specific area repeatedly or alternatively (column 14, lines 19-25, column 16, lines 23-35: *wherein keys are recorded in different areas*).

Claim 22 is rejected as applied above in rejecting claim 20. Furthermore, Ueda discloses:

The method set forth in claim 20, wherein the specific area is an area within a lead-in area defined in the recording medium (column 15, lines 45-60).

Claim 23 is rejected as applied above in rejecting claim 20. Furthermore, Ueda discloses:

The method set forth in claim 20, wherein the specific area is a lead-out area defined in the recording medium (column 15, lines 45-60).

Claim 24 is rejected as applied above in rejecting claim 20. Furthermore, Ueda discloses:

The method set forth in claim 20, further comprising:

recording information for specifying an area of key information to be recorded (column 15, lines 8-20: *pointer to key information*).

Regarding claim 27, Ueda discloses:

A recording medium, comprising:

control data area including a control information necessary to record or reproduce a copy protected user data on or from a user data area (column 14, lines 19-25, column 16, lines 23-35: *wherein keys are recorded in different areas*); and

a key information area for storing a key information required for processing a copy protected user data, the key information is recorded repeatedly or is copied on the key information area (column 14, lines 19-25, column 16, lines 23-35: *wherein keys are recorded in different areas*).

Claim 28 is rejected as applied above in rejecting claim 27. Furthermore, Ueda discloses:

The recording medium of claim 27, wherein the key information area is lead-in area and/or lead-out area (column 15, lines 45-60: *key information can be recorded in a lead-in area*).

Claim 29 is rejected as applied above in rejecting claim 28. Furthermore, Ueda discloses:

The recording medium of claim 28, wherein the key information area is pre-recorded area of the read-in area and/or read-out area (column 15, lines 45-60: *key information can be recorded in a lead-in area*).

Claim 30 is rejected as applied above in rejecting claim 27. Furthermore, Ueda discloses:

The recording medium of claim 27, wherein the control data area includes indication information to identify the key information area (column 15, lines 8-20: *pointer to key information*).

Claim 31 is rejected as applied above in rejecting claim 27. Furthermore, Ueda discloses:

The recording medium of claim 27, wherein the key information is required for the encryption and/or decryption of the copy protected user data (column 14, lines 19-25, column 16, lines 23-35).

Claim 34 is rejected as applied above in rejecting claim 27. Furthermore, Ueda discloses:

The recording medium of claim 27, wherein the key information is recorded in a specific position depending on a manufacturer of the recording medium (column 15,

lines 8-20: *pointer to key information*).

Regarding claim 35, Ueda discloses:

A recording medium, comprising:

a key information required to record or reproduce the copy protected user data (column 14, lines 19-25, column 16, lines 23-35: *wherein keys are recorded in different areas*); and

information associated with a position where the key information is stored (column 15, lines 8-20: *pointer to key information*).

Claim 36 is rejected as applied above in rejecting claim 35. Furthermore, Ueda discloses:

The recording medium of claim 35, wherein the key information is stored in a lead-in area and/or lead-out area of the recording medium (column 15, lines 45-60: *key information can be recorded in a lead-in area*).

Claim 38 is rejected as applied above in rejecting claim 35. Furthermore, Ueda discloses:

The recording medium of claim 35, wherein the information associated with the position of the key information is stored in a control area of the recording medium (column 15, lines 8-20: *pointer to key information*).

Claim 39 is rejected as applied above in rejecting claim 35. Furthermore, Ueda discloses:

The recording medium of claim 35, wherein the key information is required to encrypt and/or decrypt the user data (column 15, lines 60-67: *wherein the data is decrypted depending on the flag value*).

Claim 44 is rejected as applied above in rejecting claim 43. Furthermore, Ueda discloses:

The recording medium of claim 43, wherein the alternative area is lead-in area and/or lead-out area defined in the recording medium (column 15, lines 45-60: *key information can be recorded in a lead-in area*).

Regarding claim 45, Ueda discloses:

A method of recording or reproducing data on or from a recording medium, comprising the steps of:

(a) detecting copy protection information required for a copy protected user data and recorded repeatedly or alternatively in a specific form of the recording medium (column 14, lines 19-25, column 16, lines 23-35: *wherein keys are recorded in different areas*); and

(b) controlling a recording or reproducing of the copy protected user data based on the detected copy protection information (column 15, lines 60-67: *wherein the data is decrypted depending on the flag value*).

Claim 46 is rejected as applied above in rejecting claim 45. Furthermore, Ueda discloses:

The method of claim 45, wherein the step (a) includes a step of detecting position information for at least one of the repeated copy protection information and reading at least one of the repeated copy protection information based on the position information (column 15, lines 8-20: *pointer to key information*).

Claim 48 is rejected as applied above in rejecting claim 45. Furthermore, Ueda discloses:

The method of claim 45, wherein the step (a) detects at least one copy protection information based on a position information associated with a position where the copy protection information is stored (column 15, lines 8-20: *pointer to key information*).

Claim 49 is rejected as applied above in rejecting claim 45. Furthermore, Ueda discloses:

The method of claim 45, wherein the step (b) includes a step of controlling an encryption or decryption of the user data based on the copy protection information so as to generate a copy protected user data (column 15, lines 60-67: *wherein the data is decrypted depending on the flag value*).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 2,8,13, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ueda et al. (U.S. Patent 6,289,102) in view of Kobayashi et al. (U.S. Patent 7,248,558).

Claim 2 is rejected as applied above in rejecting claim 1. Ueda does not explicitly disclose that the first area is a PIC area defined in a BD (blu-ray) recording medium. Kobayashi, in an analogous art, teaches that the recording medium can be a blu-ray disk (Kobayashi: column 5, lines 53-56). It would have been obvious to use a blu-ray disk as the recording medium in Ueda in order to use a high-density disk to store more information (Kobayashi: column 5, lines 55-56).

Claim 8 is rejected as applied above in rejecting claim 7. Ueda does not explicitly disclose that the first area is a PIC area defined in a BD (blu-ray) recording medium. Kobayashi, in an analogous art, teaches that the recording medium can be a blu-ray disk (Kobayashi: column 5, lines 53-56). It would have been obvious to use a blu-ray disk as the recording medium in Ueda in order to use a high-density disk to store more information (Kobayashi: column 5, lines 55-56).

Claim 13 is rejected as applied above in rejecting claim 12. Ueda does not explicitly disclose that the first area is a PIC area defined in a BD (blu-ray) recording medium. Kobayashi, in an analogous art, teaches that the recording medium can be a blu-ray disk (Kobayashi: column 5, lines 53-56). It would have been obvious to use a blu-ray disk as the recording medium in Ueda in order to use a high-density disk to store more information (Kobayashi: column 5, lines 55-56).

Claim 21 is rejected as applied above in rejecting claim 20. Ueda does not explicitly disclose that the first area is a PIC area defined in a BD (blu-ray) recording medium. Kobayashi, in an analogous art, teaches that the recording medium can be a blu-ray disk (Kobayashi: column 5, lines 53-56). It would have been obvious to use a blu-ray disk as the recording medium in Ueda in order to use a high-density disk to store more information (Kobayashi: column 5, lines 55-56).

Claims 4,10,19,25-26, 32-33, 37, 40-43, and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ueda et al. (U.S. Patent 6,289,102) in view of Timmermans et al. (U.S. Patent 5,737,286).

Claim 4 is rejected as applied above in rejecting claim 1. Ueda does not explicitly disclose that the copy information in the first or second area is formed as a wobble pattern. Timmermans, in an analogous at, discloses that the copy protection

information is formed as a wobble pattern (Timmermans: column 7, lines 9-14). It would have been obvious to one of ordinary skill in the art to use the wobble pattern of Timmermans in the system of Ueda in order to aid the digital file recovery process (Timmermans: column 7, lines 9-12).

Claim 10 is rejected as applied above in rejecting claim 7. Ueda does not explicitly disclose that the copy information in the first or second area is formed as a wobble pattern. Timmermans, in an analogous at, discloses that the copy protection information is formed as a wobble pattern (Timmermans: column 7, lines 9-14). It would have been obvious to one of ordinary skill in the art to use the wobble pattern of Timmermans in the system of Ueda in order to aid the digital file recovery process (Timmermans: column 7, lines 9-12).

Claim 19 is rejected as applied above in rejecting claim 12. Ueda does not explicitly disclose that the copy information in the first or second area is formed as a wobble pattern. Timmermans, in an analogous at, discloses that the copy protection information is formed as a wobble pattern (Timmermans: column 7, lines 9-14). It would have been obvious to one of ordinary skill in the art to use the wobble pattern of Timmermans in the system of Ueda in order to aid the digital file recovery process (Timmermans: column 7, lines 9-12).

Claim 25 is rejected as applied above in rejecting claim 20. Ueda does not explicitly disclose that the key is recorded as a wobble pattern. Timmermans, in an analogous at, discloses that the copy protection information is formed as a wobble pattern (Timmermans: column 7, lines 9-14). It would have been obvious to one of ordinary skill in the art to use the wobble pattern of Timmermans in the system of Ueda in order to aid the digital file recovery process (Timmermans: column 7, lines 9-12).

Claim 26 is rejected as applied above in rejecting claim 20. Ueda does not explicitly disclose that the key is recorded as a wobble pattern. Timmermans, in an analogous at, discloses that the copy protection information is formed as a wobble pattern (Timmermans: column 7, lines 9-14). It would have been obvious to one of ordinary skill in the art to use the wobble pattern of Timmermans in the system of Ueda in order to aid the digital file recovery process (Timmermans: column 7, lines 9-12).

Claim 32 is rejected as applied above in rejecting claim 27. Ueda does not explicitly disclose that the key is recorded as a wobble pattern. Timmermans, in an analogous at, discloses that the copy protection information is formed as a wobble pattern (Timmermans: column 7, lines 9-14). It would have been obvious to one of ordinary skill in the art to use the wobble pattern of Timmermans in the system of Ueda in order to aid the digital file recovery process (Timmermans: column 7, lines 9-12).

Claim 33 is rejected as applied above in rejecting claim 27. Ueda does not explicitly disclose that the key is recorded as a wobble pattern. Timmermans, in an analogous at, discloses that the copy protection information is formed as a wobble pattern (Timmermans: column 7, lines 9-14). It would have been obvious to one of ordinary skill in the art to use the wobble pattern of Timmermans in the system of Ueda in order to aid the digital file recovery process (Timmermans: column 7, lines 9-12).

Claim 37 is rejected as applied above in rejecting claim 35. Ueda does not explicitly disclose that the key is recorded as a wobble pattern. Timmermans, in an analogous at, discloses that the copy protection information is formed as a wobble pattern (Timmermans: column 7, lines 9-14). It would have been obvious to one of ordinary skill in the art to use the wobble pattern of Timmermans in the system of Ueda in order to aid the digital file recovery process (Timmermans: column 7, lines 9-12).

Claim 40 is rejected as applied above in rejecting claim 39. Ueda does not explicitly disclose that the key is recorded as a wobble pattern. Timmermans, in an analogous at, discloses that the copy protection information is formed as a wobble pattern (Timmermans: column 7, lines 9-14). It would have been obvious to one of ordinary skill in the art to use the wobble pattern of Timmermans in the system of Ueda in order to aid the digital file recovery process (Timmermans: column 7, lines 9-12).

Claim 41 is rejected as applied above in rejecting claim 39. Ueda does not explicitly disclose that the key is recorded as a wobble pattern. Timmermans, in an analogous at, discloses that the copy protection information is formed as a wobble pattern (Timmermans: column 7, lines 9-14). It would have been obvious to one of ordinary skill in the art to use the wobble pattern of Timmermans in the system of Ueda in order to aid the digital file recovery process (Timmermans: column 7, lines 9-12).

Claim 42 is rejected as applied above in rejecting claim 39. Ueda does not explicitly disclose that the key is recorded as a wobble pattern repeatedly or alternatively. Timmermans, in an analogous at, discloses that the copy protection information is formed as a wobble pattern (Timmermans: column 7, lines 9-14). It would have been obvious to one of ordinary skill in the art to use the wobble pattern of Timmermans in the system of Ueda in order to aid the digital file recovery process (Timmermans: column 7, lines 9-12).

Claim 43 is rejected as applied above in rejecting claim 39. Ueda does not explicitly disclose that the key is recorded as a wobble pattern repeatedly or alternatively. Timmermans, in an analogous at, discloses that the copy protection information is formed as a wobble pattern (Timmermans: column 7, lines 9-14). It would have been obvious to one of ordinary skill in the art to use the wobble pattern of Timmermans in the system of Ueda in order to aid the digital file recovery process (Timmermans:

column 7, lines 9-12).

Claim 47 is rejected as applied above in rejecting claim 45. Ueda does not explicitly disclose that the key is recorded as a wobble pattern repeatedly or alternatively. Timmermans, in an analogous at, discloses that the copy protection information is formed as a wobble pattern (Timmermans: column 7, lines 9-14). It would have been obvious to one of ordinary skill in the art to use the wobble pattern of Timmermans in the system of Ueda in order to aid the digital file recovery process (Timmermans: column 7, lines 9-12).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KAVEH ABRISHAMKAR whose telephone number is (571)272-3786. The examiner can normally be reached on Monday thru Friday 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kaveh Abrishamkar/
Primary Examiner, Art Unit 2431

/K. A./
02/25/2009
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